

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KIPPER KING,

Plaintiff,

v.

CHUCK WRIGHT,

Defendant.

CASE NO. 3:16-cv-6052-KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

THIS MATTER comes before the Court on the Report and Recommendation of Magistrate Judge Karen J. Strombom. Dkt. 3. No party filed an objection to the Report and Recommendation, which the Court has considered, along with the remainder of the file herein.

The Report and Recommendation recommends that the case be transferred to another venue, the District of South Carolina, Spartanburg Division, because claims are alleged against a sheriff, corrections officers, and staff for custodial injuries within that venue. Dkt. 3 at 1. Where venue is improper, this Court may either dismiss or transfer the case. 28 U.S.C. § 1406(a). This Court concurs with the recommendation to transfer the case; the Report and Recommendation should be adopted.

1 Because the case should be transferred to another venue, Plaintiff's Motion to Proceed In  
2 Forma Pauperis (Dkt. 1) and Request for Local Rules (Dkt. 4) should be stricken from this  
3 Court's calendar. The transferee court may consider the merits of these issues.

4 THEREFORE it is HEREBY ORDERED:

5 (1) The Court adopts the Report and Recommendation (Dkt. 3).

6 (2) The Clerk of Court is directed to TRANSFER this case to the United States  
7 District Court, District of South Carolina, Spartanburg Division.

8 (3) Plaintiff's Motion to Proceed In Forma Pauperis (Dkt. 1) and Request for  
9 Local Rules (Dkt. 4) are STRICKEN from this Court's calendar.

10 The case is closed in this district.

11 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
12 to any party appearing *pro se* at said party's last known address.

13 Dated this 2<sup>nd</sup> day of February, 2016.

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16 ROBERT J. BRYAN  
17 United States District Judge  
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